

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

KATHRYN L. FITZGIBBON, *
LAUREN M. FLEMING, and *
ALL SIMILARLY SITUATED CURRENT *
AND FORMER EMPLOYEES OF *
ING BANK, fsb, AND ITS WHOLLY *
OWNED SUBSIDIARIES, *
Plaintiffs, *

v. *

ING BANK, fsb, (a Delaware corporation), *
and ALL OTHER WHOLLY OWNED *
SUBSIDIARIES OF ING BANK, fsb, *
WHICH HAVE EMPLOYED *
SIMILARLY SITUATED CURRENT *
AND FORMER EMPLOYEES SINCE *
November 15, 2004, *

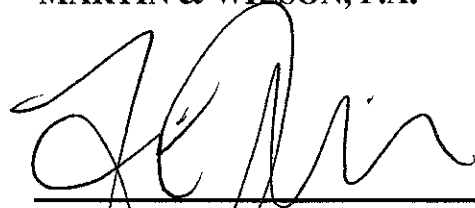
C.A. NO. 07-735 (JJF)

JURY TRIAL DEMANDED

NOICE OF DEPOSITION

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs Kathryn L. Fitzgibbon and Lauren M. Fleming ("Plaintiffs"), by and through their undersigned attorneys, will take the deposition of ING Bank, fsb's Rule 30(b)(6) witness by oral testimony before an officer duly authorized to administer an oath, commencing at **10:00 a.m. on Monday February 25, 2008**, at the offices of Martin & Wilson, P.A., 1508 Pennsylvania Avenue, Wilmington, DE 19806. The deposition shall continue thereafter until terminated by counsel for the Plaintiff. The deposition will be recorded stenographically and/or videographically and/or audiographically, before a Notary Public or other officer authorized to administer oaths in Delaware, and will be for the purpose of discovery of evidence and for use at trial.

MARTIN & WILSON, P.A.

A handwritten signature in black ink, appearing to read 'Tim Wilson', written over a horizontal line.

Timothy J. Wilson (DE Bar I.D. 4323)

1508 Pennsylvania Avenue

Wilmington, DE 19806

(302) 777-4681 telephone

(302) 777-5803 facsimile

twilson@martinandwilson.com

Attorney for Plaintiffs

DATED: February 14, 2008

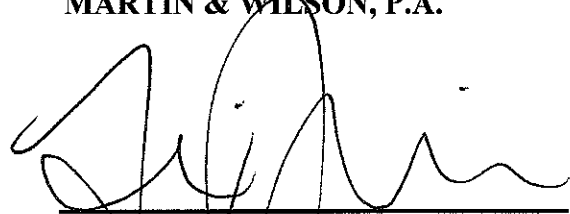
cc: Wilcox & Fetzer

CERTIFICATE OF SERVICE

I, Timothy J. Wilson, hereby certify that on Friday, February 14, 2008, I caused the attached ***Notice of Deposition*** to be served on the following attorneys of record via CM/ECF:

David Phillip Primack
Drinker Biddle
1100 North Market Street
Suite 1000
Wilmington, DE 19801-1254

MARTIN & WILSON, P.A.

A handwritten signature in black ink, appearing to read 'Timothy J. Wilson', is written over a horizontal line.

Timothy J. Wilson (DE Bar I.D. 4323)
1508 Pennsylvania Ave
Wilmington, De 19806
(302) 777-4681 telephone
(302) 777-5803 facsimile
twilson@martinandwilson.com
Attorney for Plaintiffs

DATED: February 14, 2008